satisfactory? Obviously, they must not be satisfactory; that is why so many Members have expressed their dissatisfaction. One another aspect which a number of Members of Parliament have voiced is about personal security. The demands for personal security are coming from the States to which either they belong, or, they represent. Actually, some administrative aspects are involved in this. This security concern is felt by both Houses of Parliament. It is not specific to any one House of Parliament. I will see that both these aspects are considered together so that whether it is the premises of a Member of the Lok Sabha, or, the premises of a Member of the Rajya Sabha, remedial measures must be taken. Another aspect which has been brought to the notice is about the illegal occupation of the premises really meant for Members of Parliament, or, the family, or, the kith and kin, etc.. Here, Sir, you would appreciate the fact -- rather all the Members would appreciate the fact that-- without the cooperation of the hon. Members, it will not be possible for the Government to ensure that the premises, or, quarters, or, garages, or, such other facilities as are made available to hon. Members, remain only with the authorised possessors and no one else. Without the co-operation of the hon. Members, it will not be made possible.

Now I come to the point of alleged inaction by the police in the instant case.. I do believe that some police officials did reach in big force, but the officer concerned did not come to the premises. I will bring this fact to the notice of the Home Ministry immediately. We all share this concern. I assure the House that we will do our utmost to ensure that remedial action is taken and also some measures to prevent recurrence of such incidents in future.

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

The situation arising of the Non Payment of wages and salaries to the Employees of several Public Sector Undertakings

SHRI GURUDAS DAS GUPTA (West Bengal) : Sir, I call the attention of the Minister of Labour to the situation arising out of non-payment of wages and salaries to the employees of several public sector undertakings.

श्रम मंत्री (डा. सत्य नारायण जटिया) : माननीय सभापति, जी, श्री गुरुदास दासगुप्त जी द्वारा विभिन्न सार्वजनिक क्षेत्र के उपक्रमों के कर्मचारियों की मजदूरी और वेतन के भुगतान न होने के कारण उत्पन्न हुई स्थिति के संबंध में लाए गए ध्यानाकर्षण प्रस्ताव के बारे में मैं कुछ तथ्य आप के और सदन के सम्मुख रखना जरूरी समझता हूं ।

महोदय, जिस प्रकार की यह समस्या है, उस में कुछ केन्द्रीय सार्वजनिक क्षेत्र उपक्रम अपने कर्मचारियों को मजदूरी और वेतन सहित सांविधिक बकाया राशियों के भुगतान में चूक करते रहे हैं । चूकों का मुख्य कारण है औद्योगिक उद्यमों द्वारा वहन की जा रही निरन्तर हानि जिस के परिणामस्वरूप निवल मूल्य का ह्रास हुआ और कर्मकारों को भुगतान करने के लिए धन की कमी हुई । सार्वजनिक क्षेत्र उपक्रम जिन्हें पहले संरक्षण प्राप्त था, देश के भीतर व बाहर की प्रतिस्पर्धा के लिए खोल दिए गए । बहुत से केन्द्रीय सार्वजनिक क्षेत्र उपक्रम परिवर्तनों के अनुरूप बदलाव लाने में सफल रहे पर कुछ पुरानी तकनोलॉजी, अपेक्षाकृत अधिक श्रमबल, गिरते बाजार हिस्से आदि जैसी समस्याओं के कारण रुग्ण हो गए हैं । बहुत से देशों में रुग्ण और गैर अर्थक्षम इकाइयों को बंद करने की अनुमति दे दी जाती है और कर्मकारों को मुआवजा देने के पश्चात् अलग कर दिया जाता है । भारत में केन्द्रीय सार्वजनिक क्षेत्र उपक्रमों को बंद कर दिया जाना यद्यपि कठिन है यहां तक कि यदि कोई इकाई घाटे में चल रही है और गत अनेक वर्षों से उस का संचालन बंद है तब भी कर्मकार नामावली में बने रहते हैं और रोजगार के सभी लाभ जैसे मजदूरी और वेतन, भविष्य निधि, उपदान आदि प्राप्त करने के लिए पात्र बने रहते हैं।

महोदय, इस समस्या के जो प्रमुख कारण हैं, उन का वर्णन मैं यहां कर रहा हूं । कंपनियों के पुनर्रुजीज्वन या समापन के लिए अपनाई गई प्रक्रिया और लिया गया समय, विशेषकर रुग्ण औद्योगिक कंपनी (विशेष प्रावधान) अधिनियम, 1985 (सीका) के अंतर्गत औद्योगिक एवं वित्तीय पुनर्निर्माण बोर्ड (बी.आई.एफ.आर.) को संदर्भित, लंबा है और विदित है कि इस में अनेक वर्ष लगते हैं । वे कंपनियां जो बिल्कुल बंद हैं या आंशिक रूप से चल रही हैं, उन के मामले में बंद करने/पुनर्रुज्जीवन के बारे में निर्णय लेने में जितना अधिक समय लिया जाता है उतनी ही कर्मकारों के बकायों के भुगतान के लिए स्रोत ढूंढने की समस्या बढ़ जाती है । बढती हुई औद्योगिक रुग्णता के साथ बी.आई.एफ.आर. को संदर्भित मामलों की संख्या भी समय के साथ-साथ बढ़ रही है, रुग्ण कंपनियों के कार्यकरण की जॉच-पड़ताल करने, पुनर्वास योजनाओं को स्वीकृति देने और बंद करने के संबंध में निर्णय और भी अधिक समय लेने वाली प्रक्रिया है ।

सीका की धारा 22 के अंतर्गत यदि बी.आई.एफ.आर. के अधीन कोई जांच चल रही है तो 'किसी औद्योगिक कंपनी को बंद करने के लिए कोई कार्रवाई या किसी

औद्योगिक कंपनी की संपत्तियों के विरुद्ध आपात या ऐसी अन्य या उस के संबंध में प्राप्तकर्ता की नियुक्ति बोर्ड की अनुमति के बिना नहीं दी जाएगी या आगे कार्रवाई की जायेगी ।

सीका की इस धारा के अनुसार कर्मकारों के बकायों के भुगतान को प्रशासित करने वाले विभिन्न कानूनों के अंतर्गत कोई कानूनी कार्रवाई आरम्भ नहीं की जा सकती । अतः सामान्यतया सम्पत्ति की कुर्की, दाण्डिक कार्रवाई आदि के माध्यम से बकायों की वसूली के लिए जो कार्रवाई आरम्भ की जा सकती है, बी.आई.एफ.आर. कंपनियों के विरुद्ध नहीं की जा सकती। वास्तव में भविष्य निधि बकायों का 55 प्रतिशत वसूल नहीं किया जा सकता क्योंकि यह बी.आई.एफ.आर. कंपनियों से संबंधित है । अनेक मामलों में बी.आई.एफ.आर. द्वारा बंद किए जाने की सिफारिश के बावजूद यदि उस आदेश को न्यायालय में चुनौती दी जाए या समुचित सरकार से अनुमति अपेक्षित हो तो आदेश को कार्यान्वित नहीं किया जा सकता । ऐसे निर्णयों को अंतिम रूप से कार्यान्वित किए जाने की अंतवर्ती अवधि में कर्मकारों का भविष्य अधर में लटका रहता है । पर्याप्त या आंतरिक स्रोतों के सृजन के बिना कंपनी को बजटीय सहायता की आवश्यकता होती है जिसके न मिलने पर वह बकायों के भुगतान में चूक करती है ।

वित्त मंत्रालय उन केन्द्रीय सार्वजनिक क्षेत्र उपक्रमों, जो प्रचालन में नहीं है और जिन्हें बंद किया जाना है, के कर्मकारों को मजदूरी और वेतन के भुगतान के लिए गैर-योजनागत ऋणों के रूप में बजटीय सहायता प्रदान करता है । केन्द्रीय सरकार के 1999-2000 के बजट में मुख्य रूप से कर्मचारियों को मजदूरी और वेतनों की अदायगी के लिए रुग्ण और अर्थक्षम बनाए जाने योग्य सार्वजनिक क्षेत्र उपक्रमों के लिए गैर-योजनागत ऋणों के रूप में कुल 1735 करोड़ रुपए की धनराशि का प्रावधान किया गया है । वित्त मंत्रालय का यह नीतिगत फैसला है कि प्रचालनशील इकाइयों को अपने सांविधिक दायित्वों को आंतरिक स्रोतों से पूरा करना चाहिए और केवल इकाइयों, जिन्हें पुनर्रुज्जीवित नहीं किया जा सकता, को ऐसे समय तक बजटीय सहायता दी जानी चाहिए जब तक उन को अंतिम रूप से बंद नहीं कर दिया जाये । इस के अतिरिक्त, मजदूरियां और वेतन निवल आधार पर दिए जाते हैं और भविष्य निधि एवं कर्मचारी राज्य बीमा निगम देयों के लिए कोई सहायता उपलब्ध नहीं होती है जिन्हें वेतन से काटा जाना होता है । जिन इकाइयों ने देयों के भुगतान में चूक की है उन सभी के सकल वेतन की आवश्यकताओं को पूरा करने के लिए प्रशासनिक विभाग बजट में निधियों के अधिक आवंटन की मांग करते रहे हैं । बजटीय स्रोतों की कमी, उधार और वित्तीय घाटे को कम करने की आवश्यकता और अल्प स्रोतों के अधिक उत्पादनशील वैकल्पिक उपयोगों को

ध्यान में रखते हुए वित्त मंत्रालय इस मांग को पूरा करने की स्थिति में नहीं है । इस संदर्भ में यह भी तर्क दिया गया है कि प्रबंधन द्वारा पर्याप्त आंतरिक स्रोत सृजित कर और अन्य दायित्वों की तुलना में इन बकायों के भुगतान को प्रमुखता प्रदान कर कर्मकारों के सांविधिक बकायों का भुगतान करना भी उनकी जिम्मेदारी है ।

प्रायः यह आरोप लगाया जाता है कि कर्मकारों को सांविधिक देयों का भुगतान मात्र निधियों की कमी के कारण ही नहीं किया जाता है बल्कि निधियों का यथानिर्धारित रूप में प्रबंधन नहीं किए जाने तथा कर्मकारों की देय राशियों के भुगतान को पर्याप्त प्रमुखता नहीं दिए जाने के कारण होता है । कर्मकारों की देय राशियों के भुगतान के लिए बनायी गई किसी रणनीति को केवल सीमित सफलता मिलेगी जब तक कि प्रबंधन कर्मकारों के हेतु अपनी जिम्मेदारी के प्रति सचेत नहीं होता है । केन्द्रीय सार्वजनिक क्षेत्रों के उपक्रमों के प्रबंधनों से प्रचालनों में अधिक किफायत बरतने और अपने स्वयं के दायित्वों को पूरा करने के लिए स्वयं के आंतरिक संसाधनों को अधिक बढ़ाने के लिए कहा गया है ।

सभापति जी, इन उपायों के बारे में श्रम मंत्रालय द्वारा जो कार्यवाही की गई है, उसके बारे में मैं सदन को जानकारी देना मुनासिब समझता हूँ । इन केन्द्रीय सार्वजनिक क्षेत्र उपक्रमों के खिलाफ कार्यवाही किए जाने के बारे में तत्कालीन सरकार से निदेशों की अपेक्षा करते हुए केन्द्रीय सार्वजनिक क्षेत्र उपक्रमों में नियोजित कर्मकारों के बकाया सांविधिक देयों का भुगतान न किए जाने के बारे में एक नोट पर 19जुलाई, 1997 को मंत्रिमंडल की बैठक में विचार-विमर्श किया गया था । बाद में मंत्रिमंडल ने मामले पर विस्तृत विचार-विमर्श करने के लिए मंत्रियों का समूह (जी.ओ.एम.) नियुक्त किया, जिसमें कृषि मंत्री, अध्यक्ष, वित्त मंत्री तथा श्रम राज्य मंत्री सम्मिलित थे । मंत्रियों के समूह की 29 अगस्त, 1997 को बैठक हुई, परन्तु मामले पर कोई अन्तिम रणनीति नहीं बनाई जा सकी क्योंकि ग्यारहवीं लोकसभा नवंबर, 1997 में भंग हो गई थी तथा बाद में बारहवीं लोकसभा के चुनाव घोषित किए गए थे । इसके बाद से श्रम मंत्रालय, कर्मकारों की बकाया देय राशियों की स्थिति का प्रबोधन कर रहा है तथा संबंधित प्रशासनिक विभागों से इन राशियों के शीघ्र परिसमापन के लिए प्रयास करने हेतु अनुरोध कर रहा है ।

वित्त मंत्रालय तथा उद्योग मंत्रालय के प्रतिनिधियों सहित प्रमुख चूककर्ता विभागों के सचिवों तथा सार्वजनिक क्षेत्र उपक्रमों के मुख्य कार्यकारी अधिकारियों के साथ इस मामले पर विचार करने के लिए 7 अगस्त, 1998 को एक बैठक बुलाई गई थी । 3 अगस्त, 1998 को राज्य सभा में एक ध्यानाकर्षण प्रस्ताव के दौरान संसद में तथा 28

अगस्त, 1998 को श्रम मंत्रालय की संबंद्ध परामर्शदात्री समिति में भी इस मामले पर विचार किया गया था । इन विचार-विमर्शों के आधार पर कर्मकारों को देयों का भुगतान करने के लिए एक बृहत रणनीति के संबंध में मंत्रिमंडल के विचारार्थ एक नोट तैयार किया गया था । मंत्रिमंडल ने 23 मार्च, 1999 को आयोजित अपनी बैठक में नोट पर विचार किया । मंत्रिमंडल ने यह भी निर्देश दिया कि मंत्रियों का ग्रुप इस संबंध में विस्तृत रूपात्मकताएं निर्धारित करे।

मंत्रियों के समूह की बैठक 13 जुलाई, 1999 को हुई और इसमें प्रत्येक चूककर्ता इकाई के संबंध में कार्यवाही योजना तैयार करने के लिए व्यय सचिव, श्रम सचिव और संबंधित प्रशासनिक मंत्रालयों के सचिवों को शामिल करके एक स्थायी समिति गठित. करने का निर्णय लिया गया तथापि संसद एक बार पुनः भंग हो गई और कोई अन्तिम निर्णय नहीं लिया जा सका।

वर्तमान सरकार को मंत्रियों के समूह और सचिवों की स्थायी समिति का पुनर्गठन करना है जो इकाई दर इकाई आधार पर कर्मकारों के बकाया सांविधिक देयों के परिसमापन के लिए रणनीति के ब्यौरे तैयार करेगी।

माननीय सभापति जी, विभिन्न मंत्रालयों और विभागों द्वारा प्रस्तुत सूचना के आधार पर केन्द्रीय सार्वजनिक क्षेत्र उपक्रमों में नियोजित कर्मकारों की सांविधिक बकाया देय राशियां 30 जून, 1999 की स्थिति के अनुसार लगभग 2,000 करोड़ रुपए थी, जिसमें से मजदूरी से संबद्ध देय राशियां लगभग 350 करोड़ रुपए है। धन्यवाद ।

श्री दीपांकर मुखर्जी (पश्चिमी बंगाल) : अन्तिम लाइन का क्या किया? ...**(व्यवधान)**...

SHRI GURUDAS DAS GUPTA: Sir, my friend may kindly excuse me. This is a school-boy essay on a problem which we consider to be a very grave human problem. If we go into the statement, it is clearly admitted that default in the payment of wages has become a continuous process over the years. The very first line says that it is a continuous process. While narrating the reasons for the default, the Minister says categorically that the Ministry of Finance is not in a position to give money because of budgetary deficit and fiscal deficit. The Ministry of Finance is not in a position to give the money. Secondly, why is default taking place? On page 2, the Minister admits that even if the funds were given, they were mismanaged and, because of mismanagement, salaries could not be given.

The last point the Minister says is that according to his calculation, the total default is enormously on the rise. Sir, earlier it was Rs.1,000 crores. Let me share it with my hon. friend that today, it is Rs.2,000 crores. Rupees two thousand crores is the statutory default! Sir, the basic question that I would like to raise is, payment of wages is not an act of kindness on the part of the Government. It is not an act of kindness, neither payment of wages is a voluntary action of the Government. It can be paid, it may not be paid. Secondly, I never plead for idle wage payment. I did not raise this Calling Attention ...(Interruptions)... I do not demand payment of idle wages. I never demand it. Sir, what is the crux of the problem? In this House, after you had kindly become the Chairman of the House, on a number of occasions this issue has been raised. I raise it not as a representative of the trade-union. It is a human problem. It is a question of grave human distress, and it is a question of Government abdicating its responsibility; Government violating the statutory laws with impunity. We had been raising it, and there has been no improvement at all. It can go on like this. What is the situation? The situation, at the moment is, not during the period of this Government alone, while my friends on the other side were running the Government, ever since the reforms were initiated, ever since liberalisation was being carried forward, the violation of labour laws has been menacingly on the rise.

Mr. Chairman, Sir, you had been in Parliament; you are in the public life. Kindly consider the situation that with the change of economy and economic reforms, the Government is being allowed to menacingly violate the labour laws of the country one after another. If the Government violates the labour laws, then the private sector shall not lag behind, and the whole burden of sickness of industry is sought to be passed on to the shoulders of the workers, as if it is the workers who have made the units sick.

Sir, the question is, if the Government violates its own laws, then where is the remedy? If the Government violates its own laws, where shall we go, where shall the workers go? You like the workers to create a lawlessness problem in the country! What is the remedy? If the workers go to a court of law, the proceedings are only prolonged, they are not able to get any remedy. Therefore, Sir, the extreme condition in which the workers have been put is, the workers are not being able to buy a square meal a day, they are not even able to purchase medicines for the ailing members of their families. How many workers are affected? The hon. Minister does not give the answer. He is covering up. The nodal Ministry which is likely to take care of the workers'

interests has become a bonded Ministry, and he is a bonded Minister. He is covering up the truth. How many workers are affected? I am telling you, not less than one lakh workers in the country are affected. I understand his problem. I try to understand his problem. What is he saying? He is saying, "Factories cannot be closed down; revival package cannot be finalised; BIFR process is cumbersome, therefore, no final decision can be taken regarding the fate of a unit."

How foolish you consider the people of this country! The revival package is delayed. There is a delay in the decision of the Government to close it down. The BIFR does not give the funds and the poor workers are to bear the brunt of the delay in the revival package. You cannot take a decision; Manmohan Singh did not take a decision; Chidambaram did not take a decision; Yashwant Sinha did not take a decision. One after the other successive Governments sought to pass on the burden of sickness to the shoulders of the workers. And you expect the trade unions to be loyal to you and the Government!

Sir, the basic question that we face today is the rampant violation of the law. The Government cannot absolve its responsibility of paying the statutory dues, so long as a unit is not closed down. I am not pleading for its closure; I plead for its revival, but the point here is, so long as you do not take a final decision, so long as the Government is in hibernation, the workers are to bear the brunt of non-payment of wages. Who made these units sick? Sir, the hon. Minister may kindly turn the pages of a Reserve Bank report. It says that there are four lakh units which are closed down in the country today, public and private put together. Four lakh units are closed! The Reserve Bank report also says that only in one per cent of the cases, the workers could be held responsible for closure. In 99% of the cases, the sickness leading to closure is due to the mismanagement at the corporate level. Managers, general managers, chairmen, board of directors, including the representatives of the Government, are responsible for this mismanagement. And the hon. Minister accepts this charge.

Here, it is said that the funds have not been properly managed and, therefore, that which was given for payment, was not properly utilised. How helpless the Government is! How helpless the Government appears to be!

Sir, the basic point is, since the units are not closed, you are compelled, by the laws of the Parliament, to pay the wages. You cannot

absolve yourself of responsibility. If the units are closed, or, if the Government declares that it is insolvent -- if the Budgetary deficit has led you to a position where you can publicly declare that you cannot meet the commitment because of the Budgetary gap and you cannot meet the liability -- you can avoid your liability. Then, it gives a signal of insolvency of the Government. This statement objectively agrees that this Government is insolvent. Because of the Budgetary deficit, fiscal deficit, it cannot meet its obligations under the law!

Sir, what are the laws this Government is violating here? They are violating the Payment of Wages Act, they are violating the Employees' Provident Fund Act, they are also violating the ESI Act. Sir, if a private sector company violates the law, then there is a provision to arrest them and prosecute them and sent them to jail. This is so for the private sector. Mr. Yashwant Sinha is not here. He always speaks of a level-playing field, economic affairs and market operations. I am speaking of your 'level-playing field.' Then, there must be a level-playing field between the public sector and the private sector. If the general manager of a private sector company is prosecuted for non-payment of dues, statutory dues, why should not the General Manager of NTC, the largest defaulter, prosecuted? Sir, why should not the Chairman of NJMC be prosecuted? Why should they not be prosecuted?

Sir, this is absolutely a case of double standards, unbecoming of the Government. Sir, let me give you only two or three examples because I do not want to take much time of the House. Sir, do you know how many workers have committed suicide in the country? There is no place in this report for the human distress being caused. In one particular factory, Dunlop, in West Bengal, for which the Government of India made a commitment that they would take all steps to revive, in that case Chhabaria has fled after having eaten up the bank loan, factories were closed, for eight months there were no wages given to the workers. Sir, the order book was full. ....(Interruptions).. I am speaking of the private sector also. Does it hurt you? ...(Interruptions)...Let us believe that let us not hurt anybody, so far as the defaulters are concerned. Sir, eight workers working in the Dunlop committed suicide. I know of a worker in the NTC who could not afford minimum medical care for his wife who was a tuberculosis patient. In the IDPL four workers committed suicide. I know of a particular case where a retired employee of the Heavy Engineering Corporation, Durgapur, did not

get the post-retirement benefits as a result of which her daughter's marriage could not take place. Just imagine for how many months the workers have not got their wages. The Minister has not given us any information in this regard. So, I am just telling you about it. There is one unit known as the National Projects Construction Corporation of which the President is the owner because it is a public sector undertaking, where the workers are not being paid wages for 15 months. Sir, in the HSWC which is under the Ministry of Steel, workers did not get wages for eight months. Sir, in NTC, NJMC, Hindustan Steel, National Projects Construction Corporation, Tannery Footwears, IDPL, wages are not being paid. There is a Budget constraint. I understand that. If there is a Budget constraint, why is it only this part of the Budget is being cut when foreign trips are being arranged for the Ministers, Members of Parliament and officers? Lavish parties are being thrown even in the capital. Interior decoration of the bungalows where the Ministers, Members of Parliament will be passing their few days while in Delhi, are being furnished by spending lakhs of rupees. Where is the austerity? If you can allow yourself to be reckless in all other spheres of life, then why do you cheat the workers? Why is the Government cheating the workers? Why is the Government denying them their wages? Why is the Government creating a situation where the workers are compelled to commit suicide? Sir, it is absolutely genocide. It is a crime against humanity. Sir, I had been raising this issue with my other friends like Dipankar Mukherjee. We all had been raising this issue, but we have been completely ignored. Sir, is the Parliament a place only to discuss about the high salaried people and the question of making laws liberal so that there can be hire and fire? Shameful situation is it a, Sir! I have not raised this issue just to put on record our indignation. We want a concrete reply. The Government cannot be allowed to violate the law. The Budget deficit cannot be the reason for non-payment of wages till the factories are not closed down.

If the Budget is to be curtailed, curtail the Budget for other things. Put a ban on foreign travel. Put a ban on petrol consumption. Put a ban on foreign trade. Put a ban on sumptuous dinners. If necessary, cut down the salaries of the Members of Parliament and the Ministers. Cut down our salaries. If we are asked to give our money to Orissa, why should we not contribute our money, at least, for the payment of wages to the workers, who have been suffering for years together? Austerity for the workers and recklessness for the political leaders! And, tax evasion for industrialists!

1.00 P.M.

This cannot be tolerated. Therefore, with all humility - I do not like to take much time of the House - we want a concrete answer from the Minister of Labour that the Ministry will take all action, under the law, against the guilty - irrespective of the fact that whether it is private sector or public sector - and that they will ensure these minimum wages to the workers are paid till a final decision is taken by the Government on these units. I do not plead for idle wage, but I plead with the Government that it should act according to the law. That is my only submission. Let the Government kindly respond, in clear terms, so that the country knows as to what is going on in this country. Thank you.

SHRI SANTOSH BAGRODIA (Rajasthan) : Sir, the House is going to adjourn for lunch at 1.00 p.m. So, would you like me to continue after 2.00 p.m.?

SHRI GURUDAS DAS GUPTA: Sir, let us continue. Let us continue and finish it. Otherwise, it will lose its focus.

MR. CHAIRMAN: Shall we continue?

SHRI GURUDAS DAS GUPTA : Sir, one point. After lunch, we have the Private Members' Business. I am only requesting my friends to be kind enough to forego the lunch hour.

SHRI SANTOSH BAGRODIA: Okay, Sir.

MR. CHAIRMAN: Okay. Let us complete it now...(Interruptions)...Let us finish it now itself.

SHRI GURUDAS DAS GUPTA : Please, let us continue.

MR. CHAIRMAN : Okay. But, each Member should speak for a short period.

SHRI SANTOSH BAGRODIA : Thank you, Mr. Chairman, Sir. I would like to draw the attention of the hon. Minister to a matter of urgent

public importance of the non-payment of wages and salaries to the employees of several public sector undertakings. After listening to the Statement made by the hon. Minister, it appears, that he is not trying to support the labour but, he is trying to support the Government and the management. I was also

saying this in the morning that, after visiting a number of units, as a Member of the Standing Committee on Industry, I was in tears. You will know the position, if you look at the faces of those workers who are working in those factories. When the Members of Parliament go there, they think, Oh! A ray of hope is there. They have brought money, and they have brought something, so that this unit will start functioning." You were mentioning about the Ministry of Railways in the morning. The most important factor is, one hand of the Government is not supporting the other hand of the Government. As a result of it, most of the good units - oil units, railways and other plastic units - are not really helping the other public sector units. With the result, they are going bad to worse. The Minster is simply saying that these units are going sick. Why? "Because there is technological obsolescence and there is surplus manpower." These things are superfluous. These things are well known, not just today; these things are well known for the last 10 years or 6 years or 5 years or 2 years. What is the Government planning to do about it? Simply making a statement like this will not do. It is only a bureaucratic statement consisting of three pages with no material. What suggestion have you given to help these poor workers? What you are saying is that this has gone to the BIFR and the BIFR is not doing anything. What is BIFR? Is BIFR beyond the Government? Why is there so much of delay in the BIFR? It is for the Government to get a decision from the BIFR and see that the problem is solved. I would just like to mention a few points beyond what Shri Gurudas Das Gupta has said. He has mentioned about the accountability. If any private company is doing a wrong thing, the management should be sent to jail. Is there no accountability of the officers? Sir, the managing directors go on changing. The chief executive officers go on changing.

Why do you need them, if they are not able to do anything? I am not saying, necessarily, you send them to jail. But I do not know what is the Government's policy or what is the Government's law in this regard. If, according to the Government's law, they are responsible for this, action should be taken against these officers also. But we are sitting idle. I would like to know from the hon. Labour Minister as to what efforts are being made so that these workers can be taken care of. Shri Gurudas Das Guptaji has mentioned about suicides. He has given a few figures, maybe, 4, 20 or 25. I say even if there is one suicide, it is a very serious matter. I am talking of hundreds, thousands and lakhs of workers and their families who are dying

not because of suicides, but because of malnutrition. Forget about two square meals a day. They do not get food even once a day, not even once a week. Then, how do you expect to survive? As he said, I fully agree with him that how difficult it is to get a Government jobeither it is in a Government department, or, in a PSU. The PSUs are owned by the Government. You cannot separate them from the Government. That is why the Government gives budgetary support for the PSUs also. If it is a part of the Government, it is the responsibility of the Government to look after all the PSU employees. There is some kind of guarantee, inherent guarantee, when a job is taken in a Government department. It is known that it is a secure job. It is known that the salaries and wages will be paid in time. There is no question of eight months, or, one year, or, two years. I say that salaries should be paid on the first of every month. I fully agree with my colleague, Gurudas Das Guptaji, that if the Government is not able to pay it, it should declare itself insolvent. That is absolutely right. The statement made by the hon. Minister says Rs.350 crores are required every year for wages and other related things. Rs. 350 crores, is it such a large amount! We are talking about a subsidy of Rs.7 lakhs for fertilizers. We are talking about a subsidy of Rs.20,000 crores for diesel. We are talking about subsidies of crores and crores of rupees on different accounts. We are not able to provide Rs. 350 crores for wages and salaries, and you want to justify it. The Labour Minister says that there was a Calling Attention in the Rajya Sabha on 3rd August, 1998. It was the same Government at that time. There was a meeting of Group of Ministers, way back in 1997. Also, it says, "....approve the approach contained in paragraph 11(1)." I do not know what paragraph 11(1) is. I have tried to see all the paragraphs. There is no paragraph 11(1) in it. Paragraph 11(1) was referred to some paper which is not here. How are we to know whether this statement has been prepared with due care and presented to Parliament? Sir, I would like know from the hon. Minister, or, from anybody in the Government that, by going to the BIFR, or, by any other method have they been able to revive even a single unit during the last 2, 3, or 5 years? Not a single unit has been revived. Let me know how many units are you going to revive in the next five years? Do you have any action plan for such units, or, their workers? I would like to suggest to the hon. Minister to convince them for VRS. Let them have a golden handshake. In one go, each worker would get one lakh, two lakh, or, three lakhs of rupees, with the interest on which, probably, his family may survive. But if you see the Budget, which I have seen, I can say

with authority that the Government does not provide enough funds even for VRS. Suppose a unit needs money for VRS for 200 workers; the Government will provide only for 40 or 50 workers. The remaining workers will remain there. If you cannot continuously provide even Rs. 350 crores per year, if you cannot provide voluntary retirement scheme at one go, then, what are you up to? What do you expect from these workers? I am not going into the merits whether the workers are responsible or the management is responsible for this situation. Who is responsible, whether the liberalization policy is responsible or all these big, big policies, which at the moment we are sticking to, are responsible? That is why I interrupted. Please do not take it to your heart. I only meant that let us talk about public sector undertakings because many things are happening in private companies which we can discuss separately. Let me tell you that I have nothing to do with M/s Dunlop. I do not even know Mr. Chabbaria; you might be knowing him. But i do not even know him. I have never seen his face. I only wanted to say that I am really concerned about the workers of various public sector undertakings. What are you going to do about these workers? Mr. Labour Minister, Sir, please train them, please have a special budget in your department to train these workers. These workers can be given special training as electricians, as carpenters, as plumbers. These workers will go out voluntarily. There is plenty of demand for this kind of jobs in the country. But you have to have an imagination to help these workers. You cannot simply say that the situation is tight. You cannot say, "Sorry; I am helpless". This is not going to solve any problem of these workers. If you do not do it, have you ever thought what is going to happen? These workers and their family members will be on the road, and if they are on the road you cannot save Mr. Gurudas Das Guptas's house, you will not be able to save your own house. A hungry stomach cannot keep quiet. He will do anything on earth to help himself and his family members. If that situation comes, no Government in the country will be able to save the country from complete anarchy. Please take some steps which can be possible with only Rs. 350 crores per year.

Sir, the last point I want to make is regarding the violation of different laws. I reiterate what Shri Gurudas Das Guptaji has said that if any officer, any person from the management, has violated any law, please take action against him. If you take action on one or two or three officers, others will come in line. They will become serious. I fully agree that even the sick

units are spending lakhs and lakhs of rupees on the management, but they do not bother about the workers. I fully agree with what has been rightly said by Shri Gurudas Das Gupta. This should not be done, but this will not be done unless you take some action against some officers. If these officers become holy cows, naturally, the situation will remain like that. So, can we get an assurance that some accountability will be introduced in every department about which I was talking yesterday also and about which I wanted to talk today? But I was stopped yesterday. Accountability by every officer in the country is a must.

Accountability by every Minister is also a must. If this clause can be added, I am sure, the country will reach much greater heights. The problems of these workers will be solved much easily. I hope the Minister will do something in this matter.

SHRI DIPANKAR MUKHERJEE : Sir, as a matter of fact, I wanted to put only one sentence on this whole subject because this issue has been discussed so many times during the last 3-4 years. Now a time has come when there is no need to say much. The one sentence that I want to put to everyone - to the Government, to the Parliament, and wherever this message goes -- is what exactly this Government thinks : Are these public sector workers beggars? Every now and then -- in 1996, 1997, 1998 and now in 1999 -- these workers are coming and asking for their wages. These workers, who are on the pay rolls of these very units, are not paid their wages, and for that the M.Ps have to come up with a Calling Attention notice, the Labour Minister has to give a three-page statement. Do you think that these workers are beggars? Here, I could have ended my whole submission. But he has given this three-page statement. Some of these things, I am afraid, are absolute distoritions. As a matter of fact, knowing the Labour Minister's position, I say that there are some cases of privilege also.

SHRI SANGH PRIYA GAUTAM (Uttar Pradesh) : He has done hard labour in preparing it because he is the Labour Minister.

SHRI DIPANKAR MUKHERJEE : But this is distortion.

My second point is this. Yesterday also we were having the discussion on Seattle. All the trade unions in this country, including Central trade unions, have told the Government, "We are behind you. We do not want that the United States of America or some other country should dictate

to this country what core labour standards should be here. They have assured this because they can ensure their own rights. They have that much of confidence. We do not have to look to America for working class rights. We will ensure our own rights. I say this again. but, in return, they get this type of assurance. I am not talking of child labour. The Government of India says this about companies, which are with it. They are the Government of India companies. They are not outside companies. How do you write the last sentence? You say:

> "Since the wages and salaries of employees in CPSUsgenerally exceed Rs. 1600 per month the Government cannot take any action against the defaulting PSUs under the Payment of Wages Act, 1936."

What does it mean?

[THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI) in the Chair]

Sir, please see the last sentence. It is a mockery. What are we discussing? Why are you wasting our time? Someone is paying money for this. You say that the Government cannot take any action against defaulting public sector undertakings under the Payment of Wages Act because the wages and salaries of the employees in the CPSUs generally exceed Rs. 1,600/- per month ! The Government frames the Acts. The public sector undertakings are under the Government. The management is under the Government. And the Government says, "I cannot take any action against the management for not paying the salaries. " Who is responsible, the management or you? What do you want? If you say that you cannot do anything, why did you reply to the Calling Attention motion? you should have said, "I having nothing to do with it. We cannot give any attention because we cannot do anything for those people who are getting Rs. 1,600/- and more. The public sector undertakings are different entities. We have got nothing to do with them." Is this not a mockery?

You are talking about PSUs. How many PSUs are under the BIFR? You have not said this. We are not talking in general. How many PSUs where salaries are not being paid, are under the BIFR? I think, Sir, they are 58.

When I say that a privilege motion can be brought against the Minister and the Government, I do not mean the Minister.

Yesterday, I was attending the BIFRhearing on the Tyre Corporation of India. Sir, through you, I ask of the Minister: do you know when this case was referred to the BIFR? In 1992. Do you know that the scheme was sanctioned by the BIFR in 1994? Do you know that the Government of India itself had gone to the Appellate Tribunal against the sanctioned scheme? Do you know that yesterday also the BIFR chided the Government? Why are you not taking a decision? Are you going to revive it or not? Why are you asking for time? You are trying to put the whole blame on the BIFR.

There is a case in the Supreme Court. There also such a statement has been given. The BIFR has challenged it. What is the time taken for decisions? I am going to move a privilege motion, Mr. Minister. About the 51 units, you please show, unit by unit, where a decision has been kept pending because of the Government'sindecision, and not that of the BIFR. in that case, you have misled the House by saying that time is taken by the BIFR for taking a decision on its winding up. the BIFR has nothing to do with it. In most of the cases, it is you who is not taking any decision. You have not taken a decision for revival of the Hindustan Fertilizer and the Fertilizer Corporation of India.

There is no wage revision for the last ten years. You are not paying any bonus to these workers. Their monthly salary is not being paid. That will be discussed in Parliament! MPs will decide about it! Again there will be a Calling Attention motion! There will be a committee of Secretaries! It will take another decision! again you will come to Parliament! Why don't you say that you will not do anything for the Labour Ministry? Why don't you send the Labour Ministry to the BIFR? You are sick. Your Labour Ministry is sick. You have no business to be there. You can be a Minister of other Departments. You have to be referred to the BIFR.

There is something basically, inherently wrong with the statement. You are giving facts but you are not saying anything. What are you going to do for this labour? What is your suggestion? Do you have any? Do you have any positive thinking? What do you want to do? Do you want to pay these workers? When and how? Do you have any control over the Finance Ministry? If you don't have, say you don't have. I don't ask you to resign. You wind up the Labour Ministry, as your C.I.I. and F.I.C.C.I. friends are already telling you that 'hire and fire' policy towards the workers should be adopted.

श्री संघ प्रिय गौतम : लेबर की नौकरी ले रहे हो और इनकी भी ले रहे हो?

श्री दीपांकर मुखर्जी : क्या जरूरत है। लेबर मिनिस्टर नहीं रहना चाहिए। खाली इंडस्ट्री मिनिस्टर होगा। Who will look after the F.I.C.C.I. and C.I.I.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): Please address the Chair.

SHRI DIPANKAR MUKHERJEE: I am addressing you.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI): It is a serious matter.

SHRI DIPANKAR MUKHERJEE : What is that serious matter? Is it the seriousness with which they have made the statement? Every word of the statement is wrong. The statement talks of other laws. Why do you require other laws? If you want to pay the workers, if you feel that the PSU is under the Governemnt of India, and if the workers are not being paid, it is illegal. What steps is this Government going to take to pay these workers, through their management? Is it not misleading the House? Then they say 'inadequate budgetary provision is there'. Now, what have we to do about it? What exactly does the Government propose to do about the inadequate budgetary provisions? There is no mention of it. Is it not an absolute admission by the Government that it is not able to meet its statutory obligation to pay the employees their PF and gratuity amount, to the tune of Rs.350 crores? People are dying. They do not have money. There are starvation deaths. And they do not show any seriousness. They have to pay Rs.350 crores. There is absolutely not a single sentence to say what they propose to do in this regard. Is it your seriousness? I may tell you that it is a mockery on your part. You are making them beggars. Do you want the workers to come on the roads and create a serious law and order problem? And then you will say, 'it is a law and order problem and it is not the concern of the Government of India'. Sir, this statement given by the Labour Minister before Parliament should be withdrawn. It is an insult to Parliament. I have nothing more to say.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI) : Thank you. Everybody shares your concern.

SHRI N. THALAVAI SUNDARAM (Tamil Nadu) : At the outset, I would request the Government, through the hon. Vice-Chairman, to show some seriousness about the payment of wages to the workers.

Sir, the Government had two ways to show its concern. One was through the B.I.F.R. and the other was the Disinvestment Commission. The

Disinvestment Commission was set up in 1996. Its report has already been submitted to the Government. I would like to know whether the hon. Minister is going to accept or reject the report. This Commission has gone through all the goings on in the PSUs and knows their ins and outs. As far as the B.I.F.R. is concerned, it is a quasi-judicial body. We know its functioning very well. In every case it is giving adjournments and does not apply its mind, as to the urgency of the cases. Instead of the B.I.F.R., the Government should set up a Revival Board with the Industry Minister, the Finance Minister and the Programme Implementation Minister being represented on it, for consultation purposes. Unless and until you revive the PSUs, they would definitely not be able to pay the wages to the workers. As has been mentioned by the hon. Member, Shri Gurudas Das Gupta, a number of workers are committing suicides. Three days back the I.D.P.L. employees took out a procession and sat on *dharna* in Parliament Street. Before the procession, the trade union leaders and Left Front Members of Parliament met the Prime Minister on the issue. The Prime Minister had promised to look into the possibility of its revival. I would like to know, what steps has the Government of India taken on this issue.

So far as the IDPL is concerned, I request the hon. Minister to take necessary steps to revive it. Now, the industry is in a worst condition. The employees are not getting their salaries. Now, they are on the road.

Our hon. friends from West Bengal, Mr. Gurudas Das Gupta and Mr. Dipankar Mukherjee have also mentioned about the labour problems. Mr. Dipankar Mukherjee was very unhappy with the statement made by the Minister. We are worried as to how the Government is going to settle the issue. This issue concerns all the people of the country.

There was an Unstarred Question No.1318, dt.8-3-1999 in Rajya Sabha, regarding non-payment of wages. I quote :

> "(a) whether Government are aware of the fact that there are many undertakings in the country in which the employees are not getting their wages though the recommendation of the BIFR has been obtained in this regard;
>
> (b) if so, the details thereof;
>
> (c) whether Government are going to take any effective steps to give wages to the employees concerned at the earliest;"
>
> (d) if so, the details threreof."

The reply given by the Minister of Labour, Dr. Satyanarayan Jatiya was, I quote : "(a) and (b) : The Government is aware that in a few sick Central Public Sector Undertakings, including those referred to the BIFR, there are arrears in payment of wages. According to provisional information received from some of the Ministries having administrative charge of CPSUs, the total outstanding dues on account of wages and salaries for the quarter ending September, 1998 was around Rs.1000 crores.(c) and (d): The Government has made a provision of Rs.1,735 crores in the Central Budget for 1999-2000 for non-plan loans to public sector enterprises mainly for payment of salaries and wages to the employees of sick and convalescent PSUs." This was the reply given by the hon. Minister.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI) : Please be brief.

SHRI N. THALAVAI SUNDARAM : I will conclude. May I know from the hon. Minister, what steps he has taken to pay the salaries of the workers?

The other related question is S.Q.No.124, dt.4-3-1999 raised in the Lok Sabha. I quote : "Whether workers of some Public Sector Undertakings in Bihar have not been paid their salaries for the last five years;" The Labour Minister said, "There are 12 Central Public Sector Undertakings having registered offices in the State of Bihar." The Government has not paid salaries to these workers. There are lakhs of workers employed in these units. How are you going to revamp the Disinvestment Scheme?

As far as the State of Tamil Nadu is concerned, we have the Hindustan Photo Films Ltd. Now the condition of this company is very bad. The employees are not getting their salaries. I would like to know from the hon. Minister whether he is going to revive Hindustan Photo Films Ltd., in relation to the Disinvestment Scheme. Already the employees of this company are on the roads. They are not getting a single

naya paise from Hindustan Photo Films Ltd. All the Members of the House are demanding that salaries of the workers should be paid immediately. The Central Government is having a lot of funds. Therefore, they must pay their salaries immediately.

My learned friends have mentioned about violation of provident fund law and payment of wages.

THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI) : I hope you are winding up now. It is better to seek clarifications.

SHRI N. THALAVAI SUNDARAM : So far as payment of salaries to the workers is concerned, I would request the hon. Minister to take necessary steps. Thank you.

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu) : Mr. Vice-Chairman, Sir, I rise to place my observations regarding the Calling Attention on non-payment of wages and salaries to the employees of several public sector undertakings.

Sir, in this statement, the Government has given some information which, I think, is not comprehensive. They could have given us some more information.

They can prepare a status paper to find out the reasons. The reasons attributed for the closure of one particular industry will not be applicable to another. Almost at the end of the statement of the hon. Minister in reply to the Calling Attention, it is stated, "The present Government is to re-constitute the GOM and the Standing Committee of Secretaries who will work out the details of the strategy for liquidating statutory dues of workers on a unit-to-unit basis. Issue of orders in this regard is awaited." "Issue of orders in this regard is awaited" means constitution of the Group of Ministers. I think the decision has to be taken in the Cabinet meeting. I request the hon. Minister to take up this issue in the next Cabinet meeting and see that the Group of Ministers is constituted to look into this affair.

Then, the last paragraph of the statement says--Mr. Dipankar Mukherjee has also quoted this--that since the wages and salaries of employees in CPSUs generally exceed Rs.1600 per month, the Government cannot take any action against the defaulting PSUs under the Payment of Wages Act, 1936. I would like to suggest in this connection that at the time of fixing the minimum, the Government should calculate the inflation that has taken place in the country and add that amount to Rs.1600/-. The Government should try to amend the Payment of Wages Act instead of keeping it as it is. It is an Act of 1936!Kindly calculate how much inflation has taken place from the time of fixing that Rs.1600/- till now. That should be added to the minimum. The Act should be amended accordingly. I feel that would be appropriate both for the institutions and for the workers.

Sir, another reason attributed by the statement is delay in the BIFR as well as in courts. I would like to make a suggestion here. In case you feel that the BIFR is loaded with too many cases, you must sort out first how many cases can be dealt with by the present strength of the quasi-judiciary. In case you have to add more persons to decide the cases, kindly expand the BIFR in such a way that in a time-bound manner we get the order from the BIFR. Once the case is decided by the BIFR, the people who feel affected go to the court. If you feel that undue delay occurs there, you must constitute some special courts to deal only with these cases. That is, the cases coming to courts from the BIFR should be decided by a special court constituted for this purpose alone. Then, I feel, we can get results quickly.

I would also like to say that in management, workers' participation is necessary to come to a conclusion in an appropriate manner. That too, in the purchasing department it is very essential.

Coming to the next point, I feel that in public sector units, some re-cycling process should be initiated. Some items which they call 'waste' are put on sale by auction. By this, only the bureacrats are benefited and not the workers. Therefore, I would like the Government to explore whether the so-called 'scrap' and 'unusable' items can be inputs for some re-cycling process. If it is possible, you can initiate that.

Then, regarding the IDPL, there are five units. Out of them, three are separate. The other two are more or less subsidiary units. The decision itself is wrong. The IDBI agency looking after that recommended for a Rs.1257-crore project. The Government has to take that very seriously. Out of them, one IDPL unit is situated in Tamil Nadu. It requires only Rs.10 crores. I hope the Minister will take that very seriously. Out of Rs.1257 crores, I am asking just for Rs.10 crores! If you can give Rs.10 crores immediately out of the Budgetary support, from the month of January, it will start working.

What are the items which are manufactured by the public sector units? Once the Government decides that it requires the same items manufactured by the public sector units, it can buy those items from them. The Government can fix some percentage, that this percentage of goods manufactured by the public sector units will be purchased by the Government. It would be a great help to the public sector units. A recommendation was made by a Committee that fifty per cent of the items manufactured by the

IDPL should be purchased by the Government itself. If this recommendation is accepted by the Government, I feel the IDPL would become a viable unit. Then I come to the Hindustan Photo Films. *(Interruptions)*

THE VICE-CHAIRMAN (SHRI T. N. CHATURVEDI) : Mr. Virumbi, kindly don't refer to the individual undertakings. I think it is an overall problem.

SHRI S.VIDUTHALAI VIRUMBI : All right, Sir. In fact, I had represented the Hindustan Photo Films in 1995 and we did not get what we had asked for. Thousands of workers are on the verge of starvation in this Undertaking. Therefore, I earnestly request the hon. Minister to see that something is done in respect of this Undertaking as a special case.

Lastly, the Government Press at Perianayakanpalayam in Coimbatore district in the State of Tamil Nadu is on the verge of closure because one electronic engineer was not appointed. If an electronic engineer who is supposed to operate one sophisticated machine is appointed, the Government Press will start functioning. Otherwise, right now, it is incurring losses, and once it becomes a loss-making institution, automatically, it would be referred to the BIFR. I request the hon. Minister to see that something is done for this unit so that before it is referred to the BIFR, it is rehabilitated in such a way that it becomes economically viable. With this, I request the Government to see that a Group of Ministers is constituted to find out the reasons for this problem and some corrective measures are taken to make those units viable so that they may not have to be closed down in the near future. I request the Minister to take some preventive measures because prevention is better than cure. I hope the Government will give due consideration to my suggestions and do something to mitigate the sufferings of thousands of labourers. With these words, I conclude.

[THE VICE-CHAIRMAN (SHRI MD. SALIM) in the Chair]]

SHRI K. R. MALKANI (Delhi) : Mr. Vice-Chairman, Sir, we are discussing the problems of labour in the public sector undertakings. The Public sector undertakings have been set up by the Government with the stake of the Centre, and that is why it becomes the moral and legal responsibility of the respective Governments to see that these undertakings are properly run and the employees get their dues in time. I quite sympathise with the hon. Member, Mr. Virumbi. But the point is that this Government

did not get a clean slate. The whole thing was judged ex parte because there were a lot of problems from years and decades past. But a part of the problem is economic reforms. Have you not globalised, liberalised too much and too fast? Have you not too many items on OGL? Have we not thoughtlessly cut tariff duty? Is this not hurting our industry, particularly, the small-scale industry and their employees? Will the Government look into this matter? The hon. Minister has said that 85 per cent of the provident fund is not recoverable because they come under the BIFR. Should not the BIFR Act be amended? The BIFR stands for Bureau of Industrial and Financial Reconstruction. Should not this kind of reconstruction include the use of the labour? Why should it not be part of the reconstruction? There are many people who do not deposit their provident fund dues. Has anyone of them ever been sent to jail, apart from those who are saved wrongly by the BIFR, those who are not caught by the BIFR? We would like to know from the Government as to how many businessmen have been sent to jail for not depositing the workers' share of provident fund? Obviously, there is something. The laws would stand in the way of ensuring the well- being and welfare of the labour. Should they not have a look at those laws ? Should they not be suitably amended? Are not the rules be amended, if necessary? The whole process is to be expedited. That is all I have to say. Thank you very much.

SHRI JAYANT KUMAR MALHOUTRA (Uttar Pradesh): Sir, the issue raised by my friend is very serious and needs to be addressed in somewhat a different fashion because the script of what is happening today was written in the fifties and sixties when we created these white elephants. We followed the model of Russia, and we have seen what happened to Russia when they opened up; all the industries were closed. They are selling their machinery, which is relatively new, as scrap. They are selling it as scrap! You go there today and buy, by weight, the machines worth crores of rupees. I can say with some authority because it has been offered to my company also. You go there, pick up a machine worth a crore of rupees, weigh it, and probably, you will get it for a couple of lakhs. It is brand new; still, it is lying unopened. Sir, the script of what we are seeing today was written in the sixties or seventies. The second script is now going to be written by this hon. Government in the same reckless manner in which they are opening up and liberalising. The public sector is already gone, and now it is the turn of the private sector. As one hon. Member has said, we must, therefore, expand the

BIFR because the present BIFR is unable to even tackle the problems of the few companies which have gone there. Now there is a queue of companies whose route will be the BIFR because the answers that the hon. Minister has given, lack understanding, lack comprehension, and I think there are no answers to the serious problems that we are facing.

I would like to enlighten the House that these problems are being faced not by India alone. Even a small country, Singapore, had faced this problem in the seventies. It is very easy to say that Singapore is a very small country and, therefore, we should not compare it with ourselves, but the problems are the same. In the seventies, I heard the speech of the then Prime Minister. He said, "We have decided, as a Government, to get rid of low-tech industries and go in for high-tech industries." They did so because they wanted to raise the income levels of the working class. And he also said, "For the next five years, the workers will get 25 per cent incremental wages every year; therefore, low-tech industries like textiles will not be able to cope with it, and, therefore, the Government has recommended that these industries should be shifted to nearby countries like Malaysia, Thailand, Bangladesh and Pakistan where the labour costs are low, and we will assist the industrialists in shifting, and even partially meet the cost of shifting." Sir, the workers who were then rendered unemployed, were retrained at the cost of the Government. They were imparted training in high-tech areas in which the Government was inviting outsiders. Therefore, there would have been no unemployment there. This was a planned method of change of industries or change of culture in that country. It took eight years, ten years, but they had planned, they had seen these problems. But, Sir, here, the problem is that we are not seeing the problems. We have the problem, we get the problem, but it is only after five years that we start thinking about that. We should pre-empt all these problems. Now we have a Navratna which, you all know, is called SAIL. Till a year ago, it was making profits. This year, it is aniticipated that this Navratna is going to lose Rs.1,500 crores. Next year, it may lose Rs.3,000 crores! How long is this Government going to meet these losses? How long is this loss-making Company going to pay its wages? Has the Government applied its mind? I don't think so. The same is going to be the fate of many public sector companies which will have to compete in an open environment where the duties will be brought down. And there is no way out for these companies with low technology. There has hardly been any upgradation in technology and the biggest weakness of all these companies

has been their past concept that any of the bureaucrats can run modern businesses. Today, managements are the most prized assets of any industrial enterprise. Yet, in this country, no company has thought it relevant to apply its mind to these questions: Has the company a proper management? Has it has a proper Chief Executive and does the man who is being put there understand that business, or, has any comprehension of this business? Under these circumstances, Sir, without prolonging this debate, I would like to stress that the Government lacks any comprehension in being able to tackle these problems. This is manifest in the non-payment of wages to a hundred thousand people. What I want to say is this. What will happen if a million people tomorrow are not being paid wages? What kind of answers are we going to get from this Government? They have not applied their mind. This piece of paper that has been presented by the Labour Minister has not even one solution. My friends have cast doubts about these facts. But I am not going into that. I am saying that there are no solutions. No application of mind as to how these problems are going to be tackled. The problems that exist today are relatively small compared to the problems that we are going to have tomorrow. It is for the information of this House that the largest paper mills today are losing between 10 and 15 crores a month. How long are they going to exist?

There are DMT plants which are losing 20 crores of rupees a month. How long are they going to last? Has the Government any solution for this? It is not just the public sector, it is the private sector which is also heading the BIFR way. And, yet, there has been no application of mind. I have already said in a few words, it was done in the case of a small country like Singapore. They pre-empted the problem. They went about solving the problem. And by the time the problem came, they had all the solutions and answers. Thank you.

SHRI N.K.P. SALVE (Maharashtra) : Sir, I did not have the intention of participating in this discussion whatsoever nor am I entitled to it. But after hearing some of my esteemed friends, I was touched and moved. The matter is far too serious. And the Government just cannot afford to remain so indifferent, as is obvious and apparent from the statement that we have got. Sir, the problems that the CPSUs and the private sector undertakings are facing have been referred to by Mr. Malhoutra. They are larger issues. But coming to the non-payment of wages, firstly, I understand that the wage dues are only 350 crores of rupees and this prevents this

Government from straightaway, at least, steering back. Secondly, pendency before BIFR can be no ground for allowing such a long period of sheer cruel treatment and harassment towards the labourers and their families who are languishing in hunger. This is a crime which no Parliament would ever tolerate; at least, this Parliament would not tolerate. I would like to know specifically one thing from the Minister. Why do you wait till the default takes place? Why don't you direct them? You have given a very tame reason. I am distressed to read the last sentence of the Minister's statement. He says: 'Since the wages and salaries of employees in CPSUs generally exceed Rs. 1600 per month, the Government cannot take any action against the defaulting PSUs under the Payment of Wages Act, 1936.' What impotence are you confessing of the Government? What kind of a Government are you having? Is that a Government at all? I am not blaming any particular party. I am talking of the Government, whichever Government may be there, if it does not make payment of wages, then it is guilty of the worst kind of crime against humanity. I, therefore, request you, please don't plead that the delay is caused in the BIFR. Why can't you direct the nodal Ministries to first clear this Rs.350 crores and to evaluate whether the industries can be run or not? If they cannot be run, sell the assets and give a golden handshake to the workers. Let them go out and find some other job, or, help them to find some other job. Please don't keep them for so long under this utterly cruel and sub-human conditions. It is a crime which you are committing against humanity. That is my submission.

SHRI T.N. CHATURVEDI (Uttar Pradesh): Mr. Vice-Chairman, Sir, the matter, which has been raised by Shri Gurudas Das Gupta, is of grave importance and is, indeed, a human problem. Since 1992, when I first came to the House, on a number of occasions, this issue has been discussed in this House through questions, Special Mentions, as also Calling Attention. I am afraid, this statement is a sad tale, which exhibits political insensitivity--it is a continuing one--continuing managerial mismanagement and administrative inefficiency, or, just a desire to pass the buck to others. I share the concern of the House and of Mr. Gurudas Das Gupta, and the agony which Mr. Mukherjee, Mr. Salve and Mr.Malkani had expressed. I share the anguish of my friend, Mr. Gurudas Das Gupta, though I don't necessarily share his language. I don't think the Minister is bonded to any special interests. But the sad tale of indecisiveness continues, and all of us, this House, and successive Governments have been wedded to that indecisiveness. This was

pinpointed by Mr. Salve in his obversations. He said, "If we cannot revive them, let us close them". Of course, Mr. Gurudas Das Gupta said that he was not for closure. I can well understand that. None of us is for closure. If any particular unit can be honestly and expeditiously revived, it should be done. I doubt whether this has been tried in every case. I don't intend to make any speech. But I want to draw the attention of the House to some points, and I will begin with the last sentence of the statement. The last sentence, to which I want to draw the attention of the House, has already been mentioned by Mr. Salve. So, I leave it. It is not a question of which Government is there and so on. It is a question of indecisiveness. The entire approach shows the fragmented nature of the functioning of the Government, and any Government, for that matter, whether this Government or earlier Governments.

SHRI GURUDAS DAS GUPTA: It is absolutely true.

SHRI T.N. CHATURVEDI: It is the fragmented nature of our functioning and our not trying to go into the core issue, which we want to evade or avoid, that is responsible for it. I just want to draw the attention of the House to the previous para. It is stated, "the present Government is to re-constitute the GOM and the Standing Committee". In the earlier para, it is stated, "the GOM met on 13th July, 1999 and in turn decided to constitute a Standing Committee". I can well understand that. Though the Cabinet had not passed the buck to the GOM, a responsibility was cast on them. It was their duty and responsibility to take a final decision and, if necessary, to call the Secretaries of the concerned nodal Ministries to the meetings and take a final decision. That is the way in which any Government should function, when it involves a tested question of human distress. I don't want to wax eloquent on starvation deaths and so on and so forth, because we are well aware of them. Unfortunately, all those facts stare us in the face. But the fact remains. Here, the attempt was not just to shirk from the responsibility, but to postpone the issue for some time. I fail to understand two facts. Firstly, why did the Labour Minister not insist at that time when the Calling Attention Motion was being taken up before the House? The Calling Attention Motion is admitted only after the Minister accords his consent that it may be taken up on a particular day, so on and so forth. Why did he, at that stage, not represent, or, speak to the Prime Minister, for the reconstitution of GOM? That is a separate issue, and I do not want to go into it. What bothers me is this. If the GOM met on the 13th of July to constitute the Standing

Committee, why is it that the Standing Committee lapsed with the dissolution of the House? Why did that Committee lapse? I have never seen this kind of a procedure anywhere. Is this the way the Administration should function? The Committee continues. *(Interruptions)*

SHRI NILOTPAL BASU (West Bengal) : If you are aware, on the contrary it was told during the entire period after the Lok Sabha was dissolved, that the word 'caretaker' was of little significance and every business goes on as usual.*(Interruptions)*

SHRI T.N. CHATURVEDI : I do not want to go into the semantics of "caretaker Government." That will take us into some political sphere, about which we are not concerned. Because that is an issue on which... *(Interruptions)*.

SHRI NILOTPAL BASU : This is a statement of fact.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Basu, let him take care of the current business.

SHRI T.N. CHATURVEDI : There was a little bit of dissenting voice by Shri Jayant Malhoutra, but, otherwise, I think the entire House share this particular concern. My only point is this. After all, the administration is a continuing entity. The Governments come and go. This is the democratic essence of our Constitution. But the point which remains is this. I fail to understand this fact. The individuals as secretaries may change, but it is the responsibility of your Ministry, as the nodal Ministry, and you should have to see that this Standing Committee continues and completes its job as early as possible, rather than waiting for the constitution of another Standing Committee to go into the entire matter.

Now I come to the next para above this. "The Cabinet in its meeting held on 23.9.99 considered a note and approved the approach contained in Para 11.1. I think it is not fair to put this kind of a thing. Because a Cabinet note is one which is not brought before the House. It should have been suitably worded. The point is, certain things are required to be conveyed to the House, and that should have been conveyed to us. Sir, I would like to mention that the Labour Minister might have been helpless here. But the question is, this matter was discussed at the time when we were discussing the working of the Disinvestment Commission. The Ministry of Industry was involved in this, the Ministry of Commerce was involved in this and, above

2.00 P.M

all, the Ministry of Finance was involved. I think there should have been something in the efforts of the Labour Minister and the Ministry of Labour to again and again bring before the Cabinet and the Government the seriousness of this particular problem and come to certain definitive conclusions and suggestions on the line of action, or, the plan of action, which was to be adopted, rather than evading unpleasant things, maybe certain unpleasant issues.

I would also like to draw your attention to the inadequate budgetary provision. I do agree with it. As I have said, I do not share the language and apportionment of blame, as Mr. Das Gupta does, at times. But I certainly believe that this inadequate budgetary provision, as Mr. Salve has said, is only a plea for inaction. And, there are hundred ways and means by which we can find this amount, -- I will call it paltry -- of Rs.350 crores, if there is a unified approach in the Government, and if there is the necessary social and political sensitivity within the administration and in the various Ministries.

Sir, I would also like to draw your attention to one other aspect in the statement -- I do not want to say much about it -- and I read: "Any strategy formulated for payment of dues to workers will have only limited success unless the management is conscious of its responsibilities towards workers." All these years, we have been talking about bureaucrats -- I am a burnt-out bureaucrat. The point is that they cannot run the public sector. The professional mangement, the Indian Management Service, all of them, are in this particular game. But if something happens outside, why is it not happening there? If, say, they are not updating the technology, who is

responsible? Again, is it the management, because the management is the Board of Directors? Who will have to lay down the policy? Who is responsible for this? And, who will make them conscious of their responsibilities? I think this kind of a statement, certainly, does not behove the Government, our Government, and, I would say, my Government, at the moment, which wants to be an effective Government. I think we have to do some serious thinking about this particular matter. One can go on giving suggestions. One can also make references to many other earlier decisions. But I do not want to take more time of the House on this issue.

I would also like to say one thing, which was also said by Shri Malkani, -- other Members, Shri Salve, Shri Dipankar Mukherjee and Shri Gurudas Das Gupta, have also mentioned it -- namely, the violation of laws by the Government. In some ways, I find that the usual legal trajectory will, somehow, absolve the Government from all these things. But then, the moral responsiblity of the Government cannot be shaken off. And, if there is a change needed, if there is any amendment needed in any law, to see to it that workers' wages are protected, that should be considered immediately. Just saying that BIFR proceedings have been initiated as a result of sickness of the unit, all these stories, will not help. The whole tale is a sickening tale.

SHRI N.K.P. SALVE : That is a lame excuse.

SHRI T.N. CHATURVEDI : I fail to understand why we cannot modify or alter this practice, though I am for an expeditious decision this way or that way, rather than just keeping the things in abeyance.

Sir, another small thing on which I would like to draw the attention of the Minister is this. He has said: "Eighty-five per cent of the provident fund dues are irrecoverable." I don't want to go into the question of officers being sent to jail, so on and so forth. But, constructively speaking, the question remains: What about the other 15 per cent? Did the Government show its seriousness, its initiative, that they mean business? Have they really paid attention to even this 15 per cent? I really fail to understand this.

Then, as regards the point which was made by Shri Dipankar Mukherjee, -- of course, in great anguish, he has talked of a privilege motion against the Government, etc., etc; I am not going to yield to that particular question -- if what he has said is correct, is true, I think, it factually shows the lack of co-ordination between the Government in the Ministry or the Department and the Government as represented in various public undertakings. In public undertakings, we have representatives from the Ministry also, including the Finance Minister. It is the most unfortunate situation that we do not really know; we do not even consider the matter serious enough to discuss between the two officers who go from the Government and the other officers within the Government itself as to what kind of an approach, what kind of a view, should be taken before the BIFR, or, if the BIFR has given certain instructions, how the Government should implement it, both at the level of the Ministry and at the level of the PSU, or, how they should co-ordinate in initiating further processes? I think that is,

indeed, rather shameful or, if not shameful, it is at least a casual attitude, lacking absolute sensitivity. It shows casualness towards the whole question.

Lastly, I want to reiterate the point which many other Members have made. When the economic reforms were initiated in 1991, and later also, whenever economic reforms were brought in, every section of the House had said that these reforms would be according to our needs and requirements and that these reforms would have a human face. Various Finance Ministers have used this phrase. Now, what worries me is the unfortunate situation that we have today; and it is going to be accelerated further. This is what the first para of the Minister's statement says and, probably, this is a fact that there is every likelihood of that situation arising. When that is so -- the Government is a continuous one; it is a unified entity and it is reponsible to the Parliament, and when this concern of the country has been expressed in the House repeatedly - is it not the responsibility of the Government to really heed to this demand, with the seriousness which it deserves?

डा. सत्यनारायण जटिया : माननीय उपसभाध्यक्ष महोदय, माननीय सदस्य ने जिस तरह से समस्याओं का वर्णन किया, निश्चित रूप से यह स्थिति आज या अभी पैदा हुई हो, ऐसा नहीं है । एक लंबी औद्योगिक नीति के रहते और जिसमें हमने यह तय किया था कि सार्वजनिक क्षेत्र में उद्योगों का आना हमारे लिए बहुत जरूरी है, जिसके रहते हमने सारे क्षेत्र में सार्वजनिक उद्योगों की स्थापना की । आज की स्थिति में हमने 240 सेंटर पब्लिक अंडरटेकिंग्स को बनाया हुआ है । ऐसी बात नहीं है कि ये सारे के सारे एकदम बनाए गए हैं । हमारी चिन्ता यह है कि ये सब काम करने लायक रहें और आज जो उनकी संवैधानिक देनदारियां हैं उनका पूरा भुगतान करने की स्थिति में वे आ जाएं । 240 सी.पी.यूज़ में 19 लाख कर्मचारी काम करते हैं और उद्योगों के रुग्ण हो जाने के बाद बी.आइ.एफ.आर. में आ जाने के कारण 1.4 लाख कर्मचारी इससे प्रभावित हैं। आज भी 236 ऑपरेशनल यूनिट्स हैं । 240 में से 236 अभी भी काम कर रही हैं । उसमें से 134 अभी भी मुनाफा दे रही हैं, 100 घाटे में हैं और 2 यूनिट्स ऐसी हैं जो नो प्रोफिट, नो लोस की स्थिति में हैं । कुल मिलाकर एक लम्बी प्रक्रिया या लम्बे प्रयोग के परिणामस्वरूप यह स्थिति हुई है । ऐसा नहीं है कि सारी मशीनरी इनएक्टिव हो गई है, काम नहीं हो रहा है । चिन्ता की बात यह है कि काम ठीक प्रकार से होना चाहिए और देनदारियों के बारे में भी गंभीरता से कार्रवाई होनी चाहिए । पिछली सारी बातों की जानकारी दी गई है, यह एक लम्बी प्रक्रिया है, सरकार ने क्या-क्या नीतियां बनाई हैं उसकी स्थिति को व्यक्त करने का काम उस स्टेटमेंट में हुआ है । सरकार इस बारे में

चिंता कर रही है, किंतु राजनीतिक परिस्थितियों के चलते हुए और जिस प्रकार की व्यवस्था में हम हैं उसके चलते हुए, जिसमें जिम्मेदारियां अलग-अलग प्रकार से बंटी हुई हैं, निश्चित रूप से यहां जिस प्रकार की सी.पी.यूज़ हैं वह एक मिनिस्ट्री के अंतर्गत हो, ऐसा भी नहीं है । उसमें बहुत सारी मिनिस्ट्रीज इन्वाल्व्ड हैं-मिनिस्ट्री आफ कोल, इंडस्ट्रीज, टेक्सटाइल, स्टील, सरफेस ट्रांसपोर्ट, केमिकल्स एण्ड फर्टिलाइजर्स, वाटर रिसोर्सेज। ये सारी की सारी मिनिस्ट्रीज इसमें इन्वाल्व्ड हैं। निश्चित रूप से मैं भी ट्रेड यूनियन क्या होता है, मजदूर क्या होता है इसको समझता हूं। सन् 1966 से इस ट्रेड यूनियन मूवमेंट में कहीं न कहीं मैंने भी अपनी जिम्मेदारी को जवाबदारी निभाने का काम किया है। मैं उनके दर्द को समझ सकता हूं। किंतु इस व्यवस्था में ही किस प्रकार से जैसाकि अभी सुझाव किया जा रहा था कि बी.आई.एफ.आर. को क्यों नहीं वर्केबुल बनाया जाए, क्यों नहीं इस प्रकार का बनाया जाए कि ठीक प्रकार से फैसला कर सकें।

पेमेंट आफ वेजेज एक्ट में जो 1600 की सीमा बनायी गयी है उस सीमा को बढ़ाने के बारे में, उस सीमा के बारे में क्या करना चाहिए, उसके बारे में प्रस्ताव तैयार किया हुआ है। अब इन राजनीतिक परिस्थितियों के चलते हुए - सरकारें आती हैं, सरकारें चली जाती हैं, फिर नया कुछ गठित होता है, फिर नयी प्रक्रिया शुरू हो जाती है, इस मेक और ब्रेक के चलते हुए जो व्यवधान आ रहा है उस व्यवधान के चलते हुए ये परेशानियां तो सामने आएंगी। परंतु इसमें भी किसी प्रकार से निजात मिले या उसमें से कैसे रास्ता प्राप्त करना चाहिए इस प्रकार की कोशिश हो रही है।

हम सब जानते हैं कि एक समय जो टेक्सटाइल उद्योग था यह देश का सबसे बड़ा उद्योग था जिसमें हमने लोगों को काम में लगाया हुआ था। आज भी 119 टेक्सटाइल यूनिट्स हैं परंतु कितनी वर्केबुल हैं? क्या हम यह नहीं कहेंगे कि उनकी टेक्नालाजी अपडेट नहीं करने के कारण वे सारी सिक हो गयीं और एक बहुत बड़ा वर्ग जो मजदूर क्षेत्र का था वह आज बेकार, बेरोजगार हो गया। उसके लिए हमने कई आंदोलन किए, जेल गए। उन सारी घटनाओं को हमने भी भुगतने का काम किया है। अब उन सारी यूनिट्स में बकाया है। बकायों की देनदारियां हैं। जूट में 104 करोड़ की और टेक्सटाइल्स में 390 करोड़ की देनदारियां हैं। ये आज एक दिन में तो इकट्ठी नहीं हो गयी। फिर अब उनको कितना चलाया जा सकता है? उसमें यूनिटवाइज विचार करने के लिए हमको कोई सिस्टम तो खड़ा करना पड़ेगा। इसलिए ये सारी जो समस्याएं हैं, जो कन्सर्न है माननीय सदस्यों का, जो माननीय सदस्यों की चिंता है उसमें मैं भी सम्मिलित होते हुए यह कहूंगा कि इनका वे-आउट निकालने का काम हमको करना होगा और सरकार इस बात को

करेगी। पर सरकार को करने के लिए जो कुछ सहायता चाहिए, बजट में जो कुछ पैसा चाहिए वह बजट में पैसा सीमित स्थिति में है। सन् 1997-98 के बजट में इसके लिए 1106 करोड़ रुपए रखे गए थे। 1998-99 के बजट में बढ़ाकर इसको 1854 करोड़ किया गया। 1106 करोड़ से 1854 में कोई अंतर नहीं है क्या? अंतर है जरूर, पर जितना अपेक्षित है उतना नहीं है। अब एकदम 600-700 करोड़ बढ़ाना यह कुछ बढ़ोत्तरी दिखाई नहीं देती है तो मैं उसमें कुछ नहीं कह सकता हूं। सरकार की अपनी सीमाएं हैं और उनके चलते हुए सारी बातों को उन्हीं सीमाओं में करना होगा।

1999-2000 के बजट में 1735 और उसके अतिरिक्त एडीशनल डिमांड के रूप में 284 करोड़ रुपए रखे गए। अब ये सारे के सारे जिस बात को पूरा करने के लिए जरूरी हैं उस बात के लिए नाकाफी हैं, अपर्याप्त हैं। अब ये भी अपर्याप्त हैं तो उसको पूरा करने के लिए सरकार को तय करना है। सरकार के रिसोर्सेज से यह पैदा होना है। मेरा भी जरूर कन्सर्न है। उड़ीसा के प्रभावितों के बारे में यदि इस प्रकार से चिंता कर सकते हैं तो बाकी के लोगों के बारे में चिंता क्यों नहीं की जानी चाहिए? मैं उनके साथ इस भावना से सम्मिलित हूं। परंतु आखिर उड़ीसा का प्रभाव तो तूफान की तरह से आया और उससे निपटने में समय लगेगा। किंतु यह तो धीरे-धीरे बढ़ता गया है। इसमें सुधार करने के लिए जितनी चिंता करनी चाहिए थी उतनी नहीं की गई और आज यह स्थिति देश में बनकर खड़ी हो गयी है। ऐसा भी नहीं है कि संवैधानिक देनदारी के बारे में कोई कार्यवाही नहीं हो रही है। प्राविडेंट फंड के बारे में जो हमारे पास इस अप्रैल में, पुराना पेन्डिंग जो था जिसमें आउटस्टैंडिंग बैलेंस रिकवरी सर्टिफिकेट इश्यू करने का मामला था उसमें 20152 हमने रिकवरी सर्टिफिकेट इश्यू किए और अभी पिछले 1-4-99 से लेकर 30-6-99 तक के समय में यानी केवल अप्रैल, मई और जून के तीन महीनों में 16,933 और इसमें जुड़ गए। हमने डिस्पोजल इन तीन-चार महीनों के अंदर - अप्रैल, मई और जून में 4243 का किया। पेन्डिंग की स्थिति में आज 33 हजार उसमें हैं। परंतु हमने काम नहीं किया, ऐसा नहीं है। उसके लिए अमाउंट रिकवर हुआ है। अमाउंट रिकवर नहीं हुआ है ऐसा नहीं है। अभी जैसे माननीय चतुर्वेदी जी पूछ रहे थे कि उस सन्दर्भ में 15 पब्लिक सेक्टर अण्डरटेकिंग्स से हमने 51 करोड़ रुपए की वसूली करने का काम किया। अब जिस प्रकार से एक मेकेनिज्म उपलब्ध है उस प्रकार का काम करने के लिए जो अधिकतम हो सकता है वह करने की कोशिश की जा सकती है और जिस प्रकार से काम का विस्तार हो रहा है उसको देखते हुए यह लगता है कि सब कुछ नाकाफी हो रहा है, सब कुछ कम होता चला जा रहा है। इसके साथ साथ प्रासीक्यूशन की कार्यवाही भी इसमें हुई है और इसके लिए - प्रासीक्यूशन के अंदर जो प्राविडेंट फंड के हमारे पास प्रावधान हैं उसमें हमने प्रासीक्यूशन

की कार्यवाही की है। हमने यह जो प्रासीक्यूशन की कार्यवाही थी यह अंडर सेक्शन 405, 409 आई.पी.सी. के अंतर्गत भी की है।

श्रीमन 7384 का ओपनिंग बैलेंस होता था। आज अप्रैल, 99 में उस में 209 का एडीशन हो गया और डिस्पोजल 111 केसेज का हुआ है। अब इस परिमाण में इतने ज्यादा केसेज हैं, जिनमें से डिस्पोजल की स्थिति तीन महीनों में 111 प्रकरणों की हो पाई है। इसका मतलब है कि कहीं न कहीं इसके लिए अतिरिक्त साधन जुटाने की आवश्यकता है। इसलिए इन सारी परिस्थितियों को देखते हुए निश्चित रूप से कुछ कानूनों में संशोधन करना चाहिए, कानून में कुछ और संवर्धन/परिवर्तन करना चाहिए। श्रीमन इन सारी बातों को करने के लिए समय की जरूरत होती है। और निश्चित रूप से इन सारी बातों को करने के लिए पार्लियामेंट सक्षम है और जैसाकि कहा गया है ग्रुप ऑफ मिनिस्टरस को बना कर इस बारे मे विचार करने के लिए और एक निर्धारित सीमा में काम कर सके, यह हम भी चाहते हैं।

श्री गुरूदास दासगुप्त : मंत्री जी, मैं आपसे एक सीधी बात पूछना चाहता हूं। हाऊस के हम सब लोग आपसे सहमत हैं, लेकिन ऐसी हालात पहले कभी नहीं थी। There is unanimity in the House. May I suggest to you, in pursuace of arguments made by my friend, Chaturvediji, that you kindly talk to the Prime Minister and to the Finance Minister and make a statement during this Session as to what you are going to do with regard to the liquidation of the outstanding wages. I did not speak of provident fund. this is a unanimous recommendation to you. I do not want a reply from you now. Kindly talk to the Prime Minister and the Finance Minister, taking into consideration the unanimous opinion of the House that something urgent needs to be done. I request you to let us know next week. We have been continuously discussing this and there is no active policy with regard to the tackling of the problem. We understand your predicament. Kindly agree to this.

Mr. Vice-Chairman, Sir, let him talk to the Prime Minister and the Finance Minister. If necessary, let him consult the Cabinet and come to this House during this Session, preferably next weeks, as to what he is going to do. Kindly agree to this, Mr. Minister. This is not a bad suggestion और दूसरे मेरा सजेशन यह है कि आप सीधी बात बोलिए। हम लोग आपसे आश्वासन चाहते हैं कि आप पेमेंट ऑफ वेजेस एक्ट को बदलना चाहते हैं। Please assure this House. I want only two small assurences from you. आप एश्योर कीजिए कि मिनिस्ट्री ऑफ लेबर

के 1936 के ऑब्सिलिट एक्ट, जिसके कारण आप पूरे निकम्मे बन चुके हैं, को बदलने के लिए कुछ कदम उठायेंगे। आप यह एश्योरेंस मेहरबानी करके दीजिए।

SHRI T.N. CHATURVEDI : Give him some time to digest all those things.

डा. सत्य नारायण जटिया : आपका पहला सुझाव प्रधानमंत्री जी से चर्चा के बारे में है कि इसमें क्या किया जा सकता है, निश्चित रूप से हाऊस का यह सेंस मेरे लिए मार्गदर्शन के रूप में है और इस संबंध में क्या किया जा सकता है, कब करना है यह अभी तो मैं नहीं कह सकता, लेकिन निश्चित रूप से यह जो बात कही जा रही है, उस में ...

SHRI GURUDAS DAS GUPTA : I appeal to you to let us know during this Session itself. *(Interruptions)* मेहरबानी करके ड्यूरिंग दिस सेशन कीजिए।

THE VICE-CHAIRMAN (SHRI MD. SALIM) : Mr. Das Gupta, you have made your suggestion. *(Interruptions)* Let the Minister say something.

डा. सत्य नारायण जटिया : श्रीमन यह महत्वपूर्ण सुझाव तो निश्चित रूप से मेरे लिए सुविधाजनक ही होगा। जहां तक पेमेंट ऑफ वेजेस एक्ट के बारे में बात कही गई मैंने पहले से ही मत बनाया है और हम इसमें अमेंडमेंट की प्रक्रिया में हैं कि इस को अमेंड करके इस प्रकार का बनाया जाए कि जिस में किसी भी मजदूर के वेजेस के पेमेंट के बारे में कोई रूकावट न आ सके। इस प्रकार का प्रावधान करने का उपाय हम कर रहे हैं। अब इसकी सीमा क्या होगी, इस सारी बात पर विचार आज से नहीं चल रहा है, जैसा कि मैंने कहा राजनीतिक परिस्थितियों के चलते हुए हम जब राज्य सभा में हैं तो निश्चित रूप से राजनीतिक परिस्थितियों के कारण ही है और इस बात की गम्भीरता को हम समझ सकते हैं। इसलिए माननीय सदस्यों के सभी सुझावों को मैंने नोट किया है और इतना ही नहीं मैं निश्चित रूप से व्यक्तिगत रूप से भी मिनिस्टर की हैसियत से तो मुझे बात करनी ही है, किन्तु मजदूरों के बीच में काम करते हुए उनके प्रतिनिधि के नाते और आपके साथ भी मुझे कहीं न कहीं इस सारी बात को समझने का मौका मिला है।... (व्यवधान)... इसलिए ये सारी जो संवैधानिक देनदारियां हैं ... (व्यवधान)...

SHRI GURUDAS DAS GUPTA : Will you come back to this House on this during this Session itself?

डा. सत्य नारायण जटिया : बहुत सारी बातों का समन्वय करके ही कुछ बातों

को कहना होता है । इसलिए मेहरबानी करके आप मुझे थोड़ा समय देंगे तो निश्चित रूप से मुझे आप सहायता करेंगे । इतना ही मुझे कहना है ।

श्री दीपांकर मुखर्जी : सर, आप मजदूर यूनियंस के जिम्मेदार कार्यकर्ता थे और हैं, आप एक काम इमीडिएटली कर सकते हैं, उसमें प्रधान मंत्री नहीं, आप ट्राइपार्टाइट मीटिंग बुलाएं, जिसमें सब यूनियंस को, सेंट्रल ट्रेड यूनियंस को बुलाइए, मैनेजमेंट को बुलाइए और उस मीटिंग में, जैसा संगमा साहब ने एक बार किया था, उस मीटिंग में आप मिनिस्टरी आफ इंडस्ट्रीज, मिनिस्टरी आफ फाइनेन्स, इन सबको बुलाकर you ask for the position, unitwise, and it should not be a general discussion. You convene a tripartite meeting of the managements, trade unions and the representatives of the various Ministries, and give some vedict from your side as the Labour Minister. यह तो आप कर ही सकते हैं ।

उपसभाध्यक्ष (श्री मोहम्मद सलीम): यह सब आपको मदद करना चाह रहे हैं ।

डा. सत्य नारायण जटिया : दीपांकर जी ने जो सुझाव दिया है, निश्चित रूप से उस सुझाव के अंदर कहीं कोई कठिनाई नहीं है । हमने अभी पिछले वक्त टेक्सटाइल और सीमेंट की मीटिंग बुलाकर कोशिश की थी कि क्या किया जाए । अब जितने परिमाण में यह सारे रुग्ण उद्योग हैं, बीमार उद्योग हैं और जिनके बारे में चिंता की जा रही है, इनकी संख्या दो चार, पांच नहीं है और इसलिए एक एक को करने के लिए समय चाहिए, पर निश्चित रूप से मैं सिद्धांततः इस बात से सहमत हूं कि एक एक इकाई पर ... **(व्यवधान)**...

उपसभाध्यक्ष (श्री मोहम्मद सलीम) : जो रुग्ण उद्योग हैं या बीमार उद्योग हैं, उनके मजदूर और कर्मचारी जो हैं उन पर भी ध्यान देना है।

डा. सत्य नारायण जटिया : वह हम करते हैं, सर । अभी पिछले वक्त इस संदर्भ में, मेरे मिनिस्टरी में आने के बाद, चूंकि आप जानते हैं कि सरकार बनने के बाद इस मिनिस्टरी में आए मुझे कोई ज्यादा समय नहीं हुआ, मैंने उसके बावजूद भी सभी सेंट्रल ट्रेड यूनियंस के जो प्रतिनिधि थे उनसे बात करके किस तरह से हमको आगे को कार्यवाही करनी चाहिए, इन सारी बातों के लिए चर्चा की है । मुझे प्रसन्नता होगी इन सारी बातों का सोल्यूशन निकालने के लिए और सभी सेंट्रल ट्रेड यूनियन की किस प्रकार से मदद ली जा सकती है उसकी मैं कोशिश करुंगा ।

उपसभाध्यक्ष (श्री मोहम्मद सलीम) : कोई कन्सेंट ली गई थी कि हाऊस

लंच स्किप करेगा या नहीं?... (व्यवधान)... नहीं ली गई ? तो एक घंटे के लिए एडजोर्न करें ?

AN HON. MEMBER: Today is Friday. ..*(Interruptions)*...

उपसभाध्यक्ष (श्री मोहम्मद सलीम) : प्राइवेट मैम्बर्स बिजनेस है तो कंपनसेट कर देंगे, ढाई घंटे के लिए रहेगा । जो ढाई से पांच बजे का प्राइवेट मैम्बर्स रेजोलूशन का टाइम है, that will definitely be compensated. ...(Interruptions)...ठीक है, तीन बजे तक एडजोर्न करते हैं ।

SHRI NILOTPAL BASU : Sir, we have a Bill listed in today's List of Business. Today being Friday and we will have the Private Members' time up to five o' clock. I think that Bill should be carried over to Monday. ...*(Interruptions)*... How can we discuss the Bill? ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI MD. SALIM) : The Private Members' Resolutions will be discussed. ...*(Interruptions)*...

SHRI GURUDAS DAS GUPTA : Sir, Government Business ....*(Interruptions)*...

SHRI T.N. CHATURVEDI : Only a Bill is to be moved. ....*(Interruptions)*...

SHRI GURUDAS DAS GUPTA : Sir, you can give a direction that in view of the consensus in the House that that Bill may be taken up on Monday.

SHRI T..N. CHATURVEDI : We can discuss it after we meet again after lunch.

THE VICE-CHAIRMAN (SHRI MD. SALIM) : Is there any Bill to be introduced? ...(Interruptions)... Is the concerned Minister present here? ...*(Interruptions)*..

श्री संघ प्रिय गौतम : उपसभाध्यक्ष जी, एक बात कहना चाहता हूँ कि यह रामदास जी का प्रस्ताव है संविधान की समीक्षा का ।

उपसभाध्यक्ष (श्री मोहम्मद सलीम) : वह लंच के बाद डिसकस करेंगे ।

श्री संघ प्रिय गौतम : नहीं, मैं कुछ और कहना चाहता हूँ । इसमें बहुत लोग बोलेंगे और अगर आज पूरा नहीं हुआ तो खतम हो जाएगा ।

उपसभाध्यक्ष (श्री मोहम्मद सलीम) : कैसे हो सकता है ? अभी आप लंच के लिए जाइए । काफी चर्चा हो गई है । उसके बाद इसको लेंगे ।

श्री टी. एन. चतुर्वेदी : सर, आधा घंटा के लिए कर दीजिए ।

THE VICE-CHAIRMAN (SHRI MD. SALIM) : No, till three

...*(Interruptions)*... So, we adjourn for lunch till three o' clock.

The House then adjourned for lunch at nineteen minutes past two of the clock.

The House reassembled after lunch at five minutes past three of the clock

[THE VICE-CHAIRMAN (SHRI T.N. CHATURVEDI) in the Chair.]

PRIVATE MEMBER'S RESOLUTION

Re: Need for review of the Constitution of India

श्री रामदास अग्रवाल (राजस्थान) : उपसभाध्यक्ष महोदय, मैं यह संकल्प प्रस्तुत करता हूं कि :-

"इस सभा का यह मत है कि पिछले 50 वर्षों के दौरान राज्य और केन्द्र दोनों ही स्तरों पर हुए अनुभव के परिप्रेक्ष्य में भारत के संविधान की समीक्षा करना आवश्यक हो गया है और यह सभा सरकार से सिफारिश करती है कि वह इस संबंध में शीघ्र कार्यवाही करें ।"

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RAM JETHMALANI) : If my hon. friend yields on this, I would like to persuade him not to press for this resolution for the simple reason that the party manifesto of this Government is committed to this. We will not waste any time, an action will be taken speedily to embark upon a review of the situation. But I would like to make it very clear that the basic structure of the Constitution will not be tampered with. Only those marginal amendments will be recommended, or, accepted, which make the Constitution more effective for achievement of the purposes that are formulated in the Preamble of the Constitution. After all, the hon. Member is seeking only an expression of opinion by this House that the Government should take an early action in this regard. On behalf of the Government, I promise an early action. Therefore, no formal Resolution is really called for. I would appeal to the hon. Member to withdraw it.

श्री रामदास अग्रवाल : उपसभाध्यक्ष जी, मैंने जो संकल्प प्रस्तुत किया है, उस